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16 *Attorneys for Plaintiffs*

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**

19 CHASOM BROWN, WILLIAM BYATT,
20 JEREMY DAVIS, CHRISTOPHER
21 CASTILLO, and MONIQUE TRUJILLO
22 individually and on behalf of all similarly
23 situated,

24 Plaintiffs,

25 vs.

26 GOOGLE LLC,

27 Defendant.

28 William Christopher Carmody
1 (admitted *pro hac vice*)
2 Shawn J. Rabin (admitted *pro hac vice*)
3 Steven M. Shepard (admitted *pro hac vice*)
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Case No.: 4:20-cv-03664-YGR-SVK

**DECLARATION OF MARK C. MAO IN
SUPPORT OF PLAINTIFFS' REQUEST
FOR REMIMBURSEMENT OF
ATTORNEYS' FEES AND COSTS
INCURRED FOR SUCCESSFUL
SANCTIONS MOTION**

The Honorable Susan van Keulen

DECLARATION OF MARK C. MAO

I, Mark C. Mao, declare as follows.

1. I am a partner with the law firm of Boies Schiller Flexner LLP, counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this Declaration pursuant to the Court's Order granting in part Plaintiffs' motion for sanctions for discovery misconduct (Dkt. 588) and in support of Plaintiffs' request for reimbursement of attorneys' fees and costs incurred.

3. Attached hereto as **Exhibit A** is a summary of the fees and costs incurred by Plaintiffs in connection with their sanctions motion. Exhibit A breaks down Plaintiffs' fees by attorney, rates, and hours billed. Exhibit A also lists the expenses incurred by Plaintiffs for consultant fees, research, printing, graphics, and attorney travel expenses.

13 4. The attorney time incurred included: (1) drafting the motion for sanctions and all
14 supporting materials, including detailed review of late-breaking documents produced by Google
15 from the custodial files of Bert Leung that revealed Google’s use of the maybe_chrome_incognito
16 bit; (2) drafting the supplement to the motion and supporting materials following Google’s
17 disclosure of the is_chrome_incognito and is_chrome_non_incognito bits; (3) reviewing Google’s
18 opposition to the sanctions motion, including the 90 exhibits attached to Google’s opposition; (4)
19 drafting the reply brief in support of Plaintiffs’ sanctions motion and the supporting materials; (5)
20 drafting the proposed findings of fact and conclusions of law; and (6) preparing for and
21 participating in a full-day evidentiary hearing that included an examination of Plaintiffs’ consultant
22 and examinations of four Google engineers; and (7) drafting Plaintiffs’ second supplement to the
23 sanctions motion.

24 5. Plaintiffs did not include in their request any attorney time devoted to (1) preparing for
25 or taking depositions of any witnesses, (2) hearings and conferences before the Special Master, or
26 (3) attorney travel time.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct. Executed this 4th day of June, 2022, at San Francisco, California.

3 /s/ Mark Mao

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Exhibit A

I. Attorneys' Fees

Name	Title	Rate	Hours	Total
Abalos, Jianna	Paralegal	\$300	10.20	\$3,060
Amen, Ra	Associate	\$475	3.00	\$1,425
Anderson, Alison	Partner	\$1020	62.70	\$63,954.00
Arborn, Christopher	Administrative Staff	\$310	5.10	\$1,581
Baeza, Rossana	Associate	\$680	52.00	\$35,360
Barthle, Patrick	Partner	\$800	0.40	\$320
Boies, Alexander	Counsel	\$870	54.70	\$47,589
Boies, David	Managing Partner	\$1,950	49.10	\$95,745
Bonn, Amanda	Partner	\$725	132.80	\$96,280
Cabezas, Jennifer	Paralegal	\$225	6.60	\$1,485
Cividini, Augusto	Associate	\$660	23.40	\$15,444
Crosby, Ian	Partner	\$775	0.50	\$387.50
Frawley, Alex	Associate	\$550	172.20	\$94,710
Keleshyan, Tina	Paralegal	\$380	2.40	\$912
Lee, James	Partner	\$1,030	13.50	\$13,905
Mao, Mark	Partner	\$1,000	92.90	\$92,900
Martin, Jean	Partner	\$1,000	1.50	\$1,500
McGee, Ryan	Associate	\$800	182.80	\$146,240
Nyborg-Burch, Erika	Associate	\$760	83.20	\$63,232
Rabin, Shawn	Partner	\$1,350	2.50	\$3,375
Ram, Michael	Partner	\$1,100	12.10	\$13,310
Reblitz-Richardson, Beko	Partner	\$1,070	68.20	\$72,974
Reddy, Kenya	Associate	\$950	6.20	\$5,890
Rodriguez, Theresa	Paralegal	\$310	11.30	\$3,503
Romero Garcilazo, Gabriela	Paralegal	\$310	17.80	\$5,518
Santos, Vanessa	Paralegal	\$325	13.90	\$4,517.50
Shepard, Steven	Partner	\$875	1.50	\$1,312.50
Sila, Ryan	Associate	\$575	7.10	\$4,082.50
Yanchunis, John	Partner	\$1,300	78.20	\$101,660
TOTAL			1167.80	\$992,172

II. Expert Fees

Name	Title	Rate	Hours	Total
Chris Thompson	Consulting Expert	\$275	55.83	\$15,355
Lillian Dai	Consulting Expert	\$450	30.08	\$13,537
TOTAL			85.91	\$28,892

III. Expenses

Name	Total
Computer Research	\$20,906.34
Printing	\$4,304.44
Graphics Support	\$13,309.70
Attorneys' Travel to April 21 Hearing, Lodging, Meals	\$19,339.95
TOTAL	\$57,860.43

TOTAL **\$1,078,924.43**